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**Liability of Municipality for Death Caused by Baseball.**—One Goodwin, while driving along a street in the town of Reidsville, was struck by a baseball, which inflicted injuries causing his death. It was proven that certain boys had a custom of collecting on the street and playing ball in the evenings frequently during the spring and summer months, which custom had been going on for over two years, and was known to the police officers of the town, and no effort had been made to stop it. The Supreme Court of North Carolina in *Goodwin v. Town of Reidsville*, 76 Southeastern Reporter, 232, in affirming a judgment of nonsuit in an action against the town for Goodwin's death, said: "It is immaterial whether plaintiff founds her claim upon the failure to enact an ordinance prohibiting baseball on the streets or upon the failure to enforce such an ordinance. The municipality would not be liable for the negligence of its officers, because the act is governmental in its nature, and the corporation is as much exempt from suit in such cases as the state itself."

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**How Old Is a Leap-Year Child?**—Leap-year girls seem to be the object of attack by the ravisher in Texas, judging from the cases of *Cowden v. State*, 150 Southwestern Reporter 779, and *Tate v. State*, 150 Southwestern Reporter 781, but it is very probable that prosecutrix is the same person in both cases. However, prosecutrix, it was claimed in both cases, was born on February 29, 1896, and was a leap-year child, as it is termed. The question of her age was a seriously contested issue upon the two trials, the father, mother, sister, and brother of prosecutrix being divided on the age, as to whether she was born on the 29th of February, 1896, or on the 28th of February, 1898. The mother and her son testified that she was more than 15 years of age (the charge being that she was under 15 years) at the time of the alleged offense, while her father and other witnesses would make her only 13 years old. In the second case, above mentioned, prosecutrix herself testified that she always understood she was a leap-year child, and that she had only two regular birthdays, one in 1904 and the other in 1908, not having a birthday in 1900 because that year was not divisible by 400. So the trial court was presented with the unusual situation of the immediate members of the family disagreeing as to the age, there being a conflict even between mother and father. In this quandary the court allowed other witnesses, namely, the sheriff and deputy sheriff, to testify that they were acquainted with the general reputation of prosecutrix as to her age, and that it was that she was only 13 years old. Because of admitting this evidence, the Texas Court of Criminal Appeals reverses both cases, holding that prosecutrix's age could not be proved by general reputation, her parents and relatives being alive and testifying differently as to her age.